



THE UNIVERSITY *of* EDINBURGH

Edinburgh Research Explorer

Guidelines for reporting underage pregnancy and underage sex cases

Citation for published version:

Nelson, S & Mackay, K 2015, *Guidelines for reporting underage pregnancy and underage sex cases*. The University of Edinburgh/NSPCC Child Protection Research Centre.
<<http://www.childprotection.ed.ac.uk/blog/guidance-for-reporting-underage-pregnancy-and-underage-sex-cases/>>

Link:

[Link to publication record in Edinburgh Research Explorer](#)

Document Version:

Publisher's PDF, also known as Version of record

General rights

Copyright for the publications made accessible via the Edinburgh Research Explorer is retained by the author(s) and / or other copyright owners and it is a condition of accessing these publications that users recognise and abide by the legal requirements associated with these rights.

Take down policy

The University of Edinburgh has made every reasonable effort to ensure that Edinburgh Research Explorer content complies with UK legislation. If you believe that the public display of this file breaches copyright please contact openaccess@ed.ac.uk providing details, and we will remove access to the work immediately and investigate your claim.





***Guidance for reporting underage pregnancy
and underage sex cases***

By Sarah Nelson and Kirsteen Mackay

For

**The University of Edinburgh/NSPCC
Child Protection Research Centre**

In collaboration with NUJ Scotland

Acknowledgements

The writers are particularly grateful for the help and advice of the following people and organisations:

Professor Julie Taylor, Director of the University of Edinburgh/NSPCC Child Protection Research Centre

Dr Rachael Crawford Smith, University of Edinburgh

Paul Holleran, NUJ Scottish Organiser

Lena Calvert, NUJ

Mark Fisher and members of the NUJ's Edinburgh Freelance Branch

Tam Baillie, Scotland's Commissioner for Children and Young People

Morag Driscoll, Director, Scottish Child Law Centre

Alison Todd and colleagues at Children 1st

Lucy Morton and colleagues at NSPCC

Sharon Guest and colleagues at Barnardos

Contents

1. Introduction: The origins of our work, and why it's important.....	1
2. Summary of recommendations.....	2
3. Prejudice and discrimination.....	3
<i>Pre-teen pregnancy stereotypes.....</i>	<i>3</i>
<i>Case Studies.....</i>	<i>4-6</i>
<i>Underage sex: prejudices in court.....</i>	<i>7</i>
<i>Lessons from victims of child sexual exploitation.....</i>	<i>8</i>
4. Effects of childhood sexual abuse.....	9
<i>Risks of pregnancy.....</i>	<i>9</i>
<i>Covering up the truth.....</i>	<i>9</i>
<i>Why sexualised behaviour?.....</i>	<i>10</i>
<i>Alcohol & drugs.....</i>	<i>10</i>
<i>School exclusions</i>	<i>10</i>
<i>Social deprivation and teen pregnancy.....</i>	<i>11</i>
5. Pressures on the media.....	12
<i>Sex sells?.....</i>	<i>12</i>
<i>Media political agendas.....</i>	<i>12</i>
<i>Fear of legal repercussions.....</i>	<i>12</i>
6. The law as it stands.....	13
<i>The age of consent.....</i>	<i>13</i>
<i>Government guidelines on underage sexual activity.....</i>	<i>14</i>
<i>Law on media reporting of underage sexual activity and pregnancy.....</i>	<i>14</i>
<i>Media interviews with underage mothers when there has been no legal action.....</i>	<i>15</i>
<i>Comments on social media on underage mothers: a possible libel?.....</i>	<i>16</i>
<i>The confidentiality "catch-22": when confidentiality undermines the interests of a child...</i>	<i>17</i>
7. How coverage can change.....	18
<i>Our recommendations.....</i>	<i>18</i>
<i>Examples of positive media coverage.....</i>	<i>19</i>
<i>Support from NUJ Guidelines.....</i>	<i>20</i>
8. References.....	21
9. Useful reading & contacts.....	24

Introduction

This booklet is published by the University of Edinburgh/NSPCC Child Protection Research Centre, in collaboration with the National Union of Journalists in Scotland. It results from our deep concern at how some of society's most vulnerable young women under 16, including pre-teens, are publicly vilified in cases that involve sexual activity. This adds to their suffering and humiliation. It also makes it less likely that other vulnerable young women will be protected in future from abuse or exploitation.

Of course, preventing misrepresentation and stereotyping is not just the media's responsibility, but journalists have a leading role to play. Our guidance is launched in collaboration with the NUJ, and has been informed and supported by some key agencies working with children and young people - the Children's Commissioner for Scotland, the Scottish Child Law Centre, the NSPCC, Children 1st, Barnardos, Rape Crisis Scotland and 18 and Under.

It is of concern that very young mothers, especially pre-teens, have had their stories sensationalised and used to justify moral and political agendas about the state of the 'permissive society' and young people. In fact, cases which hit the headlines are more likely to be about failure to protect at-risk children from abuse, exploitation or neglect.

Pre-teen pregnancy is unusual, and it is not legally possible for a child under 13 to give consent to any sexual activity. In the experience of agencies working with abused young people and adult survivors, there is a high likelihood that young girls who become pregnant will have been victims of abuse and exploitation.

In court settings, girls well below the legal age of consent – some as young as 11 - have been on the receiving end of victim-blaming, for instance in internet grooming cases. This is similar to adult women being blamed for being raped – e.g. for behaviour, alcohol-consumption or appearance – and the male perpetrator's actions are often excused.

Prolonged failure to intervene in the sexual exploitation of vulnerable 12-15 year olds across the UK resulted in part from various agencies believing that girls were freely choosing to enter into these abusive relationships. Attitudes towards young victims are now beginning to change, following a series of convictions brought against perpetrators of child sexual exploitation.

We ask journalists to question supposed 'facts' behind very young pregnancy and sexual activity cases they encounter, and to be aware of the language of prejudice. We explain the potential effects of childhood sexual abuse on young people's behaviour. We summarise some relevant key legislation on sexual offences and relevant media reporting laws, and describe how these can both help and undermine young victims of sexual crime. We quote examples of both positive and negative media coverage.

We ask you to take several steps which will help protect and accurately represent young women who are sexually active and / or become pregnant. These could prevent the next pre-teen mother, or the next 11- year- old who uses sexual

language on social media, from being publicly branded a "slut", "slag", "chav / ned" or "tart". Many of the NUJ's own guidelines, as we describe, support change. Each one of us can begin to change these prejudices.

We rely on your support, and ask if you could publicise our booklet widely among journalists. NUJ Scotland already has an admirable record in collaborating with support organisations on guidance for reporting sensitive topics, as in the 2013 publication of Responsible Reporting on Mental Health, Mental Illness and Death by Suicide (see Useful Reading, page 24). We hope that you will find this similarly useful.

We have also produced a short version of the leaflet that you can use for quick reference to the guidance contained in this booklet.

This booklet has been written and launched in Scotland. However, the nature of media (and of modern forms of communication generally) is such that the cases discussed do not solely originate in, nor solely apply to, Scotland: neither do society's reactions to these cases and the relevant law. We have, therefore, included some relevant legislation from other parts of Britain in the legal section. This is for general guidance only and should not be taken as comprehensive. Our list of useful contacts at the end includes some major British organisations, but concentrates mainly on Scottish contacts. This section will be easy to adapt and amend by journalists in the rest of the UK, who may want to include their own local contacts.

Summary of Recommendations

These recommendations appear in full on page 18, and also feature in the short guidance leaflet which accompanies this report.



- *Avoid repeating popular assumptions and prejudices about women who are raped, when writing about girls in cases of underage sex or very young pregnancy.*
- *Always consider the possibility of sexual abuse or rape in cases of very young underage sex or pregnancy.*
- *Please develop relationships with the organisations and individuals who work to protect young people, for comment on such stories.*
- *Know the law on underage sexual activity, particularly in relation to consent. The key legislation is outlined in the report.*
- *Know the law on identifying and interviewing under-16s and under-18s in the media, in cases of underage sexual activity.*
- *Where misinformation about a child has been published, please work with child protection agencies to find ways in which this can be corrected once confidentiality laws have come into play.*
- *Monitor your media's online comment sections to ensure that vulnerable young people are not subject to public abuse or 'trolling'. Where possible, refrain from making the commenting facility available on stories about young people and pregnancy / sexual activity.*
- *Please use your influence and position as journalists to expose and raise awareness of child sexual abuse and child sexual exploitation.*

Prejudice and discrimination

In this section, we use real-life and high profile cases to illustrate examples of prejudiced assumptions - both about girls who become pregnant underage, and about those who take part in underage sexual activity, whether or not this results in pregnancy.



Pre-teen pregnancy - the stereotypes

Pre-teen pregnancy remains unusual. Nor is it legally possible for a child under 13 to give consent to any sexual activity. In the experience of agencies working with abused young people and adult survivors, there is a high likelihood that underage girls who become pregnant will be - or will have been - victims of abuse and exploitation. This is also true of young teenagers / pre-teens whose behaviour and language seem sexually promiscuous.

Yet very young pregnancy has not normally been considered by the media to be an issue which may involve sexual abuse, rape or exploitation. This lack of consideration determines which organisations are, and are not, contacted by the media to comment on the news that a very young girl is pregnant or has given birth.

Most frequent sources chosen by the media for comment (and to debate with each other) are:

- politicians and religious groups critical of current sex education, the sexual behaviour of young people or of particular social classes;
- agencies advocating for sexual health measures and for young parents, who urge support for the youngsters and their greater access to sex education.

Inconsistencies in families' stories are not explored, the alleged paternity is widely taken on trust, and questions of coercion disappear: as was highlighted by the notorious Scottish case of Tressa M - case study on next page.

Part of a familiar pattern

Tressa M's treatment is not an isolated case, but part of a longstanding pattern. Across Britain, 'facts' put out by families, authorities or the children themselves have been accepted and printed. Often such stories have changed as they went along, while the pregnancies are repeatedly claimed as simply drunken one-night stands, with some (often unnamed) teenage boy said to be the father.

Another common thread in these stories is that the girls and their mothers are blamed, but most males involved escape comment. This style of sexism is often seen in cases involving adult women who allege rape or sexual assault, which often concentrate on her personal habits, character and the clothes she was wearing.

We ask journalists to be alert for unlikely coincidences and changes in these 'pat' tales of very young pregnancy. Good journalism is after all about being curious, sceptical and thorough in exploring any story.

Tressa M: “Promiscuous chav” or victim?

In 2009, a young man, Jason M, was convicted of raping an 11 year old girl, Tressa M. Tressa had a baby as a result of the rape and had a baby in 2006, who was put up for adoption. Jason M is Tressa’s brother and had raped her while she was in his care.¹ Prior to the circumstances of her pregnancy becoming publicly known, her story was splashed sensationally across the media under headlines of “Scotland’s youngest mother”.

As reported, the court case revealed a story very different to that which had appeared in the press. During her pregnancy and after the birth, Tressa was portrayed as a shocking example of carefree young promiscuity and the failure of sex education programmes. Allegedly pregnant by a 15-year-old at a drink-and-drug-fuelled party - a story put out by her family - she was presented in the media as a promiscuous slob, a drinker and smoker since primary school, where she was excluded for fighting. A supposed product of welfare culture and the permissive society, her pregnancy was said by some to be a sign of the disintegration of public morals.

In reality, she had experienced a very unsafe childhood and, the court heard, had tried to kill herself several times. She revealed later to the media, when over 18, that she had been sexually abused since the age of seven, and had been in and out of foster care when younger.^{2,3} But rape and repeated suicide attempts didn’t fit with what many people wanted to hear, because like other pregnant girls she had become a metaphor for all the ills of modern society.



Politicians claimed her pregnancy highlighted “failings that have allowed such a young girl to go on a night out, get drunk and pregnant, yet seemingly ignorant of the risks and consequences”. A spokesperson for one of the churches declared that it “is indicative of an increasingly promiscuous culture”.⁴ They appeared happy to jump on the bandwagon without knowing the facts. Nor did any media appear to question the reasons for an 11 year old becoming pregnant – as organisations working with victims of abuse would do routinely.

Tressa’s habits and character were subjected to severe criticism in wide-ranging media coverage. Reports told of how the “chain-smoking mum” puffed up to 20 cigarettes a day despite being pregnant. She began drinking vodka at 10, sometimes downing potent cocktails of Buckfast and vodka.^{5,6} She left school after many exclusions for fighting with fellow pupils. Yet these are frequent behaviours in sexually abused children who ‘act out’. One tabloid newspaper interviewed her and her mother extensively when she was pregnant and after the birth, concealing only her face in the photographs.⁷

The derogatory coverage was not confined to ‘tabloid’ newspapers, but appeared in several outlets. The effects of the media coverage on Tressa M resulted in numerous verbal attacks by the public who, after reading journalists’ accounts, wrote on the online media comment sections of newspaper and broadcasting websites. They were talking of a 12 year old child. Many of these comments remained available to read years after the event, even after the rape conviction.¹ If we find them distressing, imagine how they felt to her, for instance:

- “So freaking ridiculous. A girl of that age should not be so irresponsible”.
- “We already know the little twat was drunk and knocked up and continuing to smoke - her mother was proud of her slut offspring”.
- “She fell pregnant? No no, all wrong. You fall down drunk and get UP pregnant”.

¹ Although some have now been removed from British media, stories and derogatory comments have been copied onto numerous websites and chatrooms internationally, for instance “12 year old girl to become UK’s Youngest Mom.” 24/11/13 by John Ericson, Medical Daily (USA).

Other examples of previously reported cases include:

- **Jenny T.** a 12-year-old mother with learning difficulties, also from a family on benefits, was first said to have tried sex with a 15-year-old boy at her school. Oddly, the story later changed to “a single night of experimenting with a 13-year-old boyfriend.” Media reports said she was a cause for public outrage, worry and despair.⁸
- **Amy C.** also 12, became in press reports “Britain’s most notorious gymslip mum” and “a national disgrace”, facing moral outrage and abusive comments about promiscuous, booze-swilling welfare chavs and the permissive society.^{9,10} Amy was photographed with no obscuring of her face and was reported as another young smoker from a family on benefits, who claimed a one-night stand with a “Jamaican boy” of 15. She said he was a stranger. She first claimed it happened at a leisure centre, then changed this to a “club”. She later changed his nationality to Gambian (her child was black, she was white). No official action was reported to have been taken.¹¹ However, buried in the text of some press accounts we read that Amy’s mother had had a string of live-in boyfriends, her latest a Gambian man who had recently returned to his wife and children.
- **Alfie P. and Chantelle S.** In 2009 extensive claims were accepted and reported in the media, including photographs of the young people, that 13-year-old Alfie P. was the father of a baby, conceived when he was 12 with a girl of 14, Chantelle S. A leading Conservative politician echoed widespread condemnation in saying the case “exemplified the point we have been making about broken Britain.” However, DNA tests later showed he was not the father, by which time seven boys had come forward saying they had slept with Chantelle, one claiming it was routine for boys to stay over in her bed. This presented an image of promiscuity, when such behaviour - if true in a young teenager - actually raises concerns about the sexual safety of her own childhood.^{12,13}
- **Yorkshire 12-year-old:** A (this time unnamed) pre-teen who had a baby in 2002 was confirmed in 2011 to have been, in fact, the victim of multiple rapes by a sexual exploitation gang. This story however was exposed and used in a tabloid newspaper less to vindicate the girl’s own character, than to condemn an alleged failure to investigate and prosecute Asian abuse gangs through ‘political correctness’.¹⁴

These stories echo older stories with the same theme, the same reactions, and the same unquestioning acceptance of the reasons put out for the pregnancy.

- **Kathleen M.** In June 1998, 12-year-old Kathleen M. was said to have caused a national outcry when she had a baby, sparking furious debate at the time about declining moral standards. Allegedly losing her virginity to a 14-year-old in a caravan at a Butlins camp in North Wales, hers was said to be the bleakest of modern morality tales, with claims of little parental supervision or discipline. She shared some behaviours with Tressa M: “By the age of nine Kathleen was regularly playing truant from school, spending her days in front of the television at home and smoking her mother’s cigarettes. Welfare officers were regular visitors to their home, court fines were imposed, but they had little positive effect”.¹⁵

‘Chavs’ from the underclass: a recurrent theme

Pre-teen mothers have repeatedly received scorn and class prejudice for personifying the supposed evils of an ‘underclass’ culture. Blamed for the way their families lived, they are often stereotyped as the idle, promiscuous products of sink-estate single parents. They become pawns for those who want to claim Britain has created a culture of welfare dependency and ‘nanny-statism’.

Stories in the media have stressed the supposed evils of a benefits culture, and remnants of historic prejudices that the underclass supposedly “breed like rabbits.”

- **Alleshia G.**, reported as being from a family on benefits, and photographed with her two small children, gave birth at 12. She became pregnant again at 13. It was accepted in press reports that this was by the same (unnamed) boy. According to the newspaper *"Her story...casts a bleak reflection on a stratum of society in which the products of broken families are blithely having children when they are still children themselves."* The newspaper made much of her reported £656 a month of welfare benefits.¹⁶

- **Amy C.** had another child, in her teens, and was evicted for allegedly throwing wild drug-fuelled parties. Articles criticising her behaviour, and photographing her with her children, drew such callous public response on online media comment pages as:

"Given the age this female was when she started breeding, she should have been offered a choice - sterilisation or no benefits of any kind. .. would have stopped her living off the taxpayer and saved her neighbours from suffering the presence of this underclass creature. Neither child has the faintest hope unless removed from her"...^{17,18}

- In April 2014, the latest case of a 12 year old giving birth - reportedly to a 13- year-old boyfriend - drew these remarkably savage comments from two (female) journalists / columnists.

*"There aren't any more chances for this girl. It's finished....she'll be on state benefits already and by the time she's 15 she'll be destined to be forever dependent on the state - a state which forks out £20,000 a year for every single mum like her. There'll be no job, no carefree teenage years- just a life on the breadline where she'll spawn (sic) more babies with men who will leave her".*¹⁹

*"...This has created another burden for the taxpayer...as a parent who is trying...to bring up her children to be decent, responsible individuals, I am fed up of the way that so much Government time and money is devoted to making up for the deficiencies of an aggressively anti-social minority".*²⁰

- A TV documentary was made about three sisters, whose mother had several children by different men. Each sister had a child, born when they were respectively 12, 14 and 16. The eldest already had two miscarriages and an abortion. Rather than the possibility being probed that these sisters might have been victims of abuse or exploitation, familiar stories were accepted in the documentary: that one girl became pregnant after a one-night stand, and two were no longer in contact with their babies' unnamed fathers. Greater publicity and condemnation centred on the alleged £30,000 in annual benefits they claimed.^{21,22}

This type of coverage, which sustains and enriches any existing prejudices, produced vicious comments by the public when writing on the media's own online comment pages about the story.

"(The sisters) should have been told how to keep their bloody legs closed. I have got no sympathy for them".

"What they need is their mother to teach them some morals!"

"Looks more like a carefully executed business plan to me".

In addition to the 'underclass' prejudice, these cases also prompted outcry about the permissive society, and the breakdown of modern Britain. But did anyone really know much about the families, or the young women concerned?

Underage sex cases: prejudices in court



It's not just very underage pregnant girls who face blame, but those who are sexually active at all, who come to public attention when involved in a high-profile court action. Disparaging comments in legal cases have flown in the face of actual laws. For instance, in court, lawyers have asserted that the sex was consensual, when it isn't legally possible for under-13s to give informed consent.²³

If journalists are aware of these basic inaccuracies, then they can challenge them directly, or they can have them corrected through interviewing members of a children's support agency.

Here are some examples of cases in which such comments have been made:

A Scots sheriff gave a youth two years' probation for having unlawful sex with an 11 year old, despite a possible maximum sentence of 10 years. The sheriff was shown graphic photos of the girl, and read sexual language she used on social media.

She called herself a "banging baby" and had drunk cider heavily. The youth's lawyer said "this is not a case where there was no consent. He asked if she wanted to have sexual intercourse and she agreed to that".²⁴

But in law a girl of 11 cannot give consent to sexual activity. Robert Brown, Liberal Democrat MSP made a powerful and succinct response to this case: "Just as provocative clothing isn't an excuse to rape a woman, provocative photographs aren't an excuse to have sex with primary schoolchildren".

In another English case from February 2012 the judge sentenced two young men to 40 months' imprisonment each after they raped an 11-year old girl, filming and circulating footage of the attack.

The judge stated: "It is accepted she was a willing participant" - even though he also accepted she had been subjected to systematic sexual exploitation. Another factor was that the men thought she was 14 (still of course below the age of consent). Rape Crisis spokesperson Jo Wood responded: "It is horrendous that any judge can even begin to imagine that an 11 year old child is capable of consenting to being raped by two men, while being filmed".^{25,26,27}

More recent guidance from the courts

A vital point was made by appeal judges in England who overturned a lenient sentence on a male perpetrator with strong words about the child's vulnerability. The case also illustrates one important positive role for the media, since it reported widespread protest following remarks by the defence, prosecutor and judge in the Neil Wilson case (August 2013).²⁸

Wilson was 40 and the girl he abused was 13. Abusive images of children, some at the most serious level, were also found on his computer. The girl was a vulnerable teenager who had absconded from school. In mitigation, the defence said: "She is undoubtedly, it is fair to say, very sexually experienced, and ... may well be what is described as 'predatory' in respect of her activities."

Remarkably the CPS prosecutor himself repeated the claims about being predatory and experienced. Finally, the judge, giving Wilson a suspended eight month prison sentence told him: "On these facts, the girl was a predator and was egging you on."

The Crown Prosecution Service (CPS) suspended the prosecutor from being instructed in sex offences cases and the Director of Public Prosecutions Keir Starmer QC said the language describing the teenager was “grossly inappropriate”. The Attorney General appealed the sentencing and appeal judges sentenced Wilson to two years in prison, concluding that the sentence was “plainly, and without doubt, unduly lenient.”

They argued that to reduce punishment on the basis that the person needing protection had encouraged the offence was simply wrong. Most significantly they added: **“An underage person who encourages sexual relations with her needs more protection, not less. The Attorney General is therefore right to say that the victim’s vulnerability was an aggravating, rather than a mitigating feature”** [our emphasis].²⁹

Such clear, uncompromising words by Appeal judges and the CPS not only send a message to legal systems. They also challenge prejudiced assumptions that others hold, assumptions which may (even unconsciously) be influencing the line taken by journalists when preparing news stories, features and comment.



Lessons from teenage victims of child sexual exploitation

Convictions of adult perpetrators in a whole series of recent English child sexual exploitation (CSE) cases – and reports into official inaction - including Rochdale, Rotherham, Derby, Telford and Oxford have demonstrated that teenage girls, mostly between 12 and 16 - who were considered sexually promiscuous, delinquent and abusers of drink and drugs - had in fact been victims of very brutal and sustained sexual exploitation.^{30,31,32}

But they also demonstrated that in these cases it was often not the media who were guilty of disbelieving and stereotyping the young women. Instead, some journalists bravely tried to expose the exploitation rings over many years.

Their efforts give powerful examples of the campaigning role the media can play in the protection of vulnerable young people. Anna Hall for instance struggled and persevered for years to have a documentary aired on Britain’s sexual exploitation gangs (see “Positive examples of media reporting”, page 19)

Yet in these distressing CSE cases, many professionals and public alike had ignored or misinterpreted what they saw; failed to believe the girls’ complaints of being abused; or assumed they freely chose the abusive relationships. Important messages for our guidance in this booklet are: (a) that ‘delinquent’ behaviours can be the result of sexual abuse and exploitation (see next section); (b) if young women are able to reveal abuse, their credibility should not be dismissed; and (c) that there is a deep well of prejudice and stereotyping of young teenage girls about their sexual behaviour, which extends to professionals.

We ask journalists to be aware of any prejudices in your own assumptions, and in those you select for comment, in stories about teenage girls’ sexuality.

The effects of childhood sexual abuse

Many behaviours for which young people are criticised, like heavy smoking and heavy drinking at a young age; repeated exclusions from school; and age-inappropriate, sexualised behaviour, are well-known acting-out reactions to sexual abuse trauma. Especially if children involved in sexual activity are behaving in several of these ways, journalists should always consider a possible background of rape or abuse as considering this backdrop of trauma will aid understanding of these behaviours.³³

What does research say about links between young pregnancy and a background of sexual abuse?

Research studies have found a high correlation between teenage pregnancy and a sexual abuse history. For instance in Noll et al's meta-analytic study (2009) the probability of a pregnant adolescent having a history of childhood sexual abuse was a remarkable 4.5 out of 10.³⁴ Research studies, such as that by Logan et al (2007) have found that girls who are younger when the abuse occurs tend also to be younger at their first pregnancy.³⁵

Being sexually active at a young age in itself increases risks of pregnancy. If girls are being abused, they also have even less control over contraception than those in consensual relationships, given the disparities of power and the coercion involved.

When young pregnancy is not the direct result of sexual assault itself, it may spring from effects of earlier sexual abuse. Researchers have found that frequent sexual activity, with numbers of partners, can spring from confused sexual boundaries, low sexual self-esteem and dysfunctional sexual behaviour, with a greater risk of re-victimisation.³⁶

This is why we stress that revelations of a girl's sexual promiscuity at a young age should raise curiosity about possible abuse (past or present) - rather than an assumption that this reflects her own character and motives. Logan et al make a thought-provoking point: "Although childhood sexual abuse has been found by a number of studies to be significantly associated with teen pregnancy... there is little evidence of pregnancy prevention programmes that specifically address this issue."³⁷



Why might young girls lie about how they got pregnant?

Reasons can include:

- They are threatened not to tell;
- They are scared and confused about what might happen if they tell;
- Their families have agreed this story as the official version;
- They are told no one will believe them, or that they will be punished and break up the family;
- They have loyalty to the abuser and believe he loves them;
- They tried to tell before but were not believed.

Why are some girls sexually active very young, even in primary school?

Of course, many teenagers experiment with sex at 14 or 15, when still below the legal age of consent. However victims of sexual assault often show sexualised behaviour at a much younger age than others. Reasons include:

- They are acting out what they themselves were forced to do, by abusers who told them it was normal.
- In their experience sex has been the only way to receive any affection, and their boundaries are very confused.
- They assume from experience that this is what men and boys want.
- They feel worthless, degraded and debased, thinking that they must be bad and that they are only good for sex.
- Abused children may be lonely and isolated, and if someone shows them affection, they are vulnerable to being taken advantage of sexually.

Why do abused young people often make heavy use of cigarettes, drink or drugs when very young, e.g. in primary school?

Reasons can include:

- They have been given drink and drugs to make them compliant, and have become addicted. This is especially common in sexual exploitation rings, and in the creation of online images of sexual abuse.
- They are steeling themselves to face the ordeal of being abused again.
- It is the only way that they can cope when the abuse is happening.
- They are trying to 'self-medicate' – to blot out bad memories of the abuse and its post-traumatic effects like nightmares, flashbacks and panic attacks. This is also why many adult survivors of sexual abuse find it very hard to break free of addictions.

These connections are supported by research. In Nelson's research study with men sexually abused as children (Nelson 2009)³⁸, a quarter of the men were addicted to substances before even reaching their teens. Director of the Scottish Drugs Forum, Dave Liddell has highlighted, from SDF's own long experience and research, how sexually abused young people are among those most likely to use illegal drugs, alcohol and tobacco at an early age.³⁹

Why are sexually abused young people often excluded from school, and why do they often have behaviour problems?

Reasons can include:

- While some children react to the traumatic effects of sexual abuse by becoming quiet, withdrawn and vulnerable to bullying, others turn their rage, hurt, confusion, and mistrust of adults against people around them. Because many abused children can't say directly what is wrong, their cries for help can emerge as outbursts or bullying. These often lead to punishments or exclusion.
- The effects of sexual abuse trauma can make mental concentration, including on schoolwork, much more difficult, so pupils may fall behind. Some will react with truancy, bad behaviour or both. After truancy they fall further behind. Trying to catch up with study feels hopeless, and humiliates them further.
- If sexually abused children or young teenagers are excluded from school, they face much greater danger on the streets, including with other young people who are offending, and with predatory adults.



SOCIAL DEPRIVATION AND TEEN PREGNANCY

It is true that statistics consistently show links between social deprivation and teenage pregnancy rates, in both the under -16 and under -20 age groups. Rates of teenage pregnancy among girls under 16 in Scotland's most deprived areas (13.7 per 1,000) were five times the rates for similarly-aged young women in the least deprived areas (2.7 per 1,000) in the three years 2008/2010.⁴⁰

But research studies do not present a picture of feckless, careless or drunken promiscuity as the reasons for the difference. The truth lies in serious social issues such as a bigger gender imbalance of power than in wealthier communities; a perceived lack of economic choices and opportunities, especially for girls; a search for greater meaning from a constricted life; a wish for someone who can love them unconditionally; significant health inequalities, and issues related to a low sense of value about their lives. A recent Scottish Parliamentary inquiry also challenged the stereotype that teenage girls get pregnant simply to get a house, having received wide-ranging evidence which disputed this notion.⁴¹

Another class discrepancy is that pregnant under-16s in better-off social classes have higher rates of termination, so don't come to public and media attention. Of total pregnancies among young women under 20 in 2010 from the most deprived areas, 71% ended in delivery and 29% in abortion. In contrast, in the least deprived areas, the respective figures were 30% and 70%.⁴²

What the pregnant pre-teenagers in sensational cases have usually had in common is that they lived in unsafe situations, with parents singularly unable to protect them from predators. They did not reflect poorer working class families (or families on benefits) generally. 'Anti-chav' prejudice replaces an examination of the actual reasons why young people's life chances are diminished.



Pressures on the media

Sex sells?...

While the public often love to hate the media, there is nothing shameful in itself about wanting to sell more newspapers, or to increase viewing figures. Unfortunately though, this drive can adversely affect people involved in the kinds of stories and headlines traditionally assumed to appeal to readers.

There's a potent mix in stories which seem to combine salacious sex, underage sex, flouting of sexual morality, delinquent pregnant teenagers, badly-behaved 'chavs' and their parents, and the chance for politicians and religious figures to pontificate about how disgraceful it all is. Some of this temptation is about the stark fact that 'sex sells'. Some other ingredients, though, reflect clear political motivations, which need to be recognised.



The political stance of some media outlets

The discussion on 'underclass-bashing' highlights an issue which has strongly influenced coverage of young teenage pregnancy and sexual behaviour in some newspapers. That is their wider political stance, as determined by their ownership and senior staff rather than by their journalists at the 'coalface'.

It is precisely because young people's sex and pregnancy issues touch on this cluster of other issues such as welfare dependency, sexual morality, the state of our national morals, the upbringing of children and teenage anti-social behaviour - that there is more impetus to interpret cases of underage sex and very young pregnancy in ways which support that particular agenda.

While media must be free to comment in their opinion sections as they choose, the continuing tendency to merge fact and opinion, and pressure to interpret evidence to 'fit' a particular political agenda, has brought increasing concern and protest from the National Union of Journalists. They have raised serious concerns about bullying and political pressures to interpret stories, and have called for a right to refuse assignments on ethical grounds - a 'conscience clause' call which has been supported by the Leveson Inquiry.⁴³

Fear of legal repercussions?

In our experience, if you complain that a newspaper, TV or radio has not covered the fact that under-13s cannot consent to sex - or that child protection issues have not been covered in the story - it is common to be told there is no evidence, or that it's dangerous to imply someone might have abused a child.

We would ask editors, news editors and other senior staff who take this cautious approach to consider:

- Is a genuine risk of litigation being assessed in every case, or are they just exercising 'blanket' caution?
- Given the seriousness of child abuse, is this omission a failure of courage and responsibility?
- Could they consider the contrast between the care and respect they give adults in this, and the free rein they allow for unsubstantiated, degrading claims against vulnerable children?
- Could they contrast a fear of voicing unsubstantiated concerns about possible abuse, with willingness to accept without substantiation claims made to them about who fathered the baby?

An assumption that the perpetrator is likely to be a family member, whom the public might then identify, causes particular nervousness in the media. In Tressa's case, the perpetrator was indeed from her close family. But we must stress that perpetrators also come from outside the family – for example, from schools, church settings, care homes, other institutions and in organised sexual exploitation by groups. Raising a possibility of sexual abuse in a sincere search for the truth, and following up with journalistic investigation, does not need to reveal or imply the identity of the perpetrator.

The law as it stands

This outline of existing legislation is not exhaustive, and as legislation will be subject to updating, journalists should always check with their legal team.

The age of consent

In both Scotland (S) and England & Wales (E+W), it is against the law to have sex with a child under the age of 16. In both jurisdictions, there is no defence to a charge of sexual activity with a child under the age of 13. However if the child was above this age at the time of the offence, the sentence may be reduced if the court is satisfied the child consented to the sexual activity.

The key Acts are the Sexual Offences Act 2003 (E+W) and the Sexual Offences (Scotland) Act 2009.

Since these Acts came into force, both males and females under the age of 16 who engage in (consensual) sexual intercourse may, in principle, be charged with an offence. That is relevant to this booklet, in that it may increase the vulnerability of young girls who are between 13 and 15 - by reducing the likelihood of them reporting sexual coercion, for fear that they may instead be charged with an offence.

The Scottish Children's Hearing System

In Scotland, although it is not a specific ground of referral, children under 16 who engage in harmful sexual activity may be referred to the Children's Hearing System, rather than to a court, under the Children's Hearings (Scotland) Act 2011, when all information regarding the referral is subject to confidentiality laws (see further information on page 14).

Sexual Exploitation (via prostitution) of girls

In Scotland, these offences are covered by the Criminal Law (Consolidation) (Scotland) Act 1995 which states that it is an offence to procure any woman or girl under 21 to become a prostitute, in any part of the world. It is also an offence if a parent or other person with parental rights in respect of a child, causes a girl under 16 to be a prostitute, or a victim of indecent assault or unlawful sexual intercourse.

In England & Wales, the 2003 Act includes offences related to the abuse of children under 18 years through prostitution and pornography.

Grooming

In Scotland, the Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 makes it a statutory offence to meet a child following preliminary contact, and an offence to purchase sexual services from a person under 18.

In England & Wales, the 2003 Act includes the offence of meeting a child under 16 following sexual grooming, where the perpetrator is aged 18 and over. In both England & Wales and Scotland, the maximum penalty is 10 years' imprisonment.

Government guidelines on underage sexual activity

The UK Government guidance “Safeguarding Children and Young People from Sexual Exploitation” was published in 2009.⁴⁴ It recognises that “... exploitation is an imbalance of power within the relationship. The perpetrator always holds some kind of power over the victim, increasing the dependence of the victim as the exploitative relationship develops” [para 3.4].

Importantly, it also recognises that:

“There is a presumption that children and young people are sexually exploited by people they do not know. However, evidence shows that they are often abused by ‘boyfriends’ or people with whom they feel they have a relationship. Professionals should also be alert to organised familial abuse, or abuse within closed community groups” [para 3.8]

This UK guidance also raises the important point that sexually exploited young people may not recognise that they are being exploited or abused, due to the grooming methods used by their abusers. “It may take many weeks or months for practitioners who work with young people to build up their trust, help them to recognise that they are being sexually exploited... and overcome their resistance to interventions” [para 3.23]

In Scotland, the “National Guidance on Underage Sexual Activity: Meeting the Needs of Children and Young People and Identifying Child Protection Concerns”, (published in 2010) recommends that a sexually active child under 13 is always a child protection concern.⁴⁵ However, for those aged 13 and over, “professionals should assess whether there is coercion involved or a relationship of trust between the child and the other person.”

Other factors to be taken into account when assessing risk are consent and informed choice; the ages of those involved; the relationship; the circumstances of the sexual activity; and the vulnerability of the young person involved” [para 54]. Additional risk factors listed include: a history of being in care, history of previous abuse, the use of coercion or grooming, power imbalance and the location of the sexual activity (such as if the victim is homeless).

A problem with such guidance is that whether or not adults recognise vulnerable young people over 13 as exploited appears to depend significantly on whether the young person self-defines as being exploited, finds the courage to speak out about it, and is then believed.

The law on media reporting of underage sexual activity and pregnancy

Publicity surrounding a sexual offence case may put victims off reporting the offence. This is why, over the last few decades, a succession of laws have been passed to protect the identity of victims of sexual offences.

The law in Scotland: publication of sexual offence cases

If children are referred to the Children’s Hearings System when there are concerns for their welfare, under section 182 of the Children’s Hearings (Scotland) Act 2011, all identifying information relating to a children’s hearing is protected and cannot be published. Neither can any information in cases referred or appealed to a court from a children’s hearing. This replaces section 44 of the Children (Scotland) Act 1995.

In criminal cases, Section 47 of the Criminal Procedure (Scotland) Act 1995 bans identification of those under 16 in court proceedings, either as a victim or alleged perpetrator. No picture of the child can be published in a context relevant to such proceedings. The court may dispense with these restrictions if satisfied this is in the public interest.

At the time of writing, (Feb 2015) this applies up to the age of 16. However Section 15 of the Victims and Witnesses (Scotland) Act 2014 will amend this to 18, when it comes into force later in 2015.

No picture of the child can be published in a context relevant to such proceedings. The court may dispense with these restrictions if it is satisfied that this is in the public interest.

As well as this, a court can direct that no newspaper report shall reveal information which could lead to identifying a person under 17 in relation to any proceedings in any court, whether as a witness or victim or the accused, under section 56 of the Children and Young Persons (Scotland) Act 1937. No picture may be published either (unless permitted by the court).

The law in England and Wales: publication of sexual offence cases

The Sexual Offences (Amendment) Act 1992 places an automatic ban from the time the allegation is made on reporting information that could lead people to identify the victim in sex offence cases. Under the Children and Young Persons Act 1933, a court may also make an order prohibiting the publication of information that could reveal the identity of any child involved in any court proceedings. This Act also places an automatic ban on reporting the identity of any child in cases going through the youth court.

Applying the law: revealing the identity of child victims of sexual offences in the media

Because sexual activity with a girl under the age of 16 years is always unlawful, whenever the media report underage sexual activity or the birth of a child to a girl who is under the age of 16 they are, in fact, reporting a victim of a sexual offence.

If the report then includes identifying information such as her name, her school or a photograph of her or her family this may potentially fall foul of Sexual Offences (Amendment) Act 1992 in England and Wales and the Children's Hearings (Scotland) Act 2011, in Scotland. Given that this is the case, it could be argued that those reported cases where children were named and photographed by the media in England (see pages...) breached the requirement for confidentiality.

In the case of *O'Riordan v Director of Public Prosecutions* [2005],⁴⁶ a magazine editor was charged with publishing details likely to lead members of the public to identify the victim of a sexual offence under the Sexual Offences (Amendment) Act 1992. In this case, the media had played an important role in raising awareness when the abducted 12 year old girl was missing. It was important that the public could recognise her and report any sightings. However, according to the court this changed as soon as the allegations were made (in this case the abductor admitting to offences due to the age of the girl). After that point the publication of any identifying information about the girl breached the 1992 Act.

Media interviews with underage mothers, when there has been not (or not yet) been a court case

The Editors' Code of Practice (September 2014)⁴⁷ states that: "A child under 16 must not be interviewed or photographed on issues involving their own or another child's welfare unless a custodial parent or similarly responsible adult consents." (6:2)

Underage sexual activity / pregnancy is an issue involving a “child’s welfare.”

Even if parental consent is given for an interview with their child, in the context of underage sexual activity or underage pregnancy, identifying the child concerned may still be unethical.

The Editors’ Code of Practice (September 2014) states that:

“the press must not, even if legally free to do so, identify children under 16 who are victims or witnesses in cases involving sex offences” (7:1)

As previously discussed, an underage mother should be assumed to be a victim of a sexual offence. As cases we have discussed have shown, revealing the identify of an underage mother also exposes her to direct vilification, which is a clear risk of harm.

Comments on social media on underage mothers: an example of a possible libel?

Sexually exploited young girls who come to public attention because of their underage pregnancy or sexual activity, and who are then vilified via media Webpages, could potentially benefit from the laws below:

The Malicious Communications Act 1988 (England and Wales), the Public Order Act 1986 (England and Wales), the Defamation Act 1996 (England, Wales and Scotland), the Protection from Harassment Act 1997 (England, Wales and Scotland) and the Communications Act 2000 (England, Wales and Scotland).

The Defamation Act 2013 came into force in England and Wales on 1st January 2014 and parts of the Act extend to Scotland as well. Under this Act, in England and Wales, an action may be raised against the owner of a website for defamatory comments. It is a defence that the owner did not post the comment – providing they took appropriate action following a complaint received.

Also, under the Communications Act 2003 (England, Wales and Scotland), it is an offence to send “a message or other matter that is grossly offensive or of an indecent, obscene or menacing character.” This carries a penalty of up to six months imprisonment or a £5,000 fine.

If underage mothers are subjected to threats which were intended to be menacing, those responsible could potentially be prosecuted under this Act.

The confidentially 'Catch-22': when confidentiality undermines the interests of children

When very young mothers are identified in media stories, but subsequent court action against perpetrators then have reporting restrictions, the very laws designed to protect young people's confidentiality can undermine their interests. When this happens, the damage to their reputation cannot be corrected. This is a vital point that needs to be considered in the handling of future cases by several key professions, including the media and social services.

The legal section makes clear that Tressa M, at the age of 11/12, could be assumed to be a victim of a sexual offence. Throughout the UK there is no defence to a charge of sexual activity with a child under 13 and, as the Scottish Government Guidance cited earlier states: a sexually active under -13 year- old is always a child protection concern. In addition, Tressa also 'ticked boxes' for risk factors for child sexual exploitation, even when she reached 13 - such as a history of vulnerability, and a history of being in care. Hopefully in future therefore, there will both be far greater caution in identifying, photographing and interviewing under-13s, their own babies, and 13-16s with vulnerability; bearing in mind the possible prosecution for publication if criminal allegations are made or (in Scotland) the case is before a Children's Hearing.

However, for young mothers across the UK who have already been identified (and in England, photographed) and their reputations thoroughly 'trashed', we have to consider how the 'catch 22' they are caught in could be resolved, for their own protection and wellbeing. The situation may arise again, too, for other very young girls. In Tressa's case for instance, she was comprehensively vilified. Yet later, within the reports of her brother's rape conviction, even her age at time of pregnancy could not be reported, for fear of identifying her, and in that way falling foul of Section 47 of the Criminal Procedure (Scotland) Act 1995, and, potentially, Section 44 of the Children (Scotland) Act 1995. Also, because after the birth both she and her baby were put into foster care, the law expects anonymity when a young person is looked after by a local authority.

But this completely obscured the link, for public, professionals and politicians, between the original reports of her pregnancy and the reports of the rape conviction. The facts revealed at Glasgow's High Court could not be contrasted with the previous 'trashing' of her reputation. In contrast, the previous mass of hostile, often vicious publicity about her - including tabloid newspaper interviews with her and her mother, and online comment from the public - had proceeded unchecked and much of it survived until recently: indeed, some are still online many years later.

Thus, laws limiting publication have, in such cases, unintendedly had several damaging effects. The inability to link earlier media reports and the court action prevents the self-respect and reputation of girls such as Tressa being publicly restored, and falsehoods about them being corrected.

In Tressa's case it also made much less likely that authorities and schools involved with her family would face searching questions, by the media or others, about whether they had adequately protected her since she was seven - and indeed whether or not she was still meant to be under supervision when she became pregnant.

At least two newspapers tried (unsuccessfully) to fight the legal rulings about Tressa on non-publication, at the time of Jason M's conviction, from genuine concern about the young woman. We believe it is important that in all similar cases,, that concerned media, child protection agencies and lawyers consider seriously together how the problem might be resolved for the young person's benefit. For instance, the young person should surely be consulted sensitively themselves about this.

There are other ways to avoid this 'catch-22' for the young people. At the time of the rape conviction (four years after her pregnancy) the publication of Tressa's age at pregnancy need not have resulted in revealing her identity - particularly as she was back within the care system, and could not be interviewed. Although risk of identification was arguably greater because the abuser was a relative, this relationship and the offender's name could have been omitted from media reports "for legal reasons". The media are well used to restrictions "for legal reasons". This kind of forethought could be applied to future cases.

How coverage can change



Our recommended guidelines

- Avoid repeating popular assumptions and prejudices about women who are raped, when writing about girls in cases of underage sex or very young pregnancy.***

We have outlined the parallels between the arguments used to justify rape of adult women and those used to justify sex with very young girls. If someone you are reporting uses offensive language like “chav” or “tart”, quote someone who will challenge them too. Check if you are exercising a double standard about boys’ and girls’, men’s and women’s sexual behaviour.

- Always consider the possibility of sexual abuse or rape in cases of very young underage sex or pregnancy.*** Keep a challenging and open mind about stories which adults, and often the youngsters themselves, put out about how their very young pregnancy happened. Always explore the possibility of sexual abuse or rape. Particularly suspect this possibility behind heavy, very early drink or drug misuse, very young sexual risk-taking, and repeated school exclusions for disruptive behaviour - especially in primary school, and especially if there is also self-harm or suicide attempts.

- Please develop relationships with the organisations and individuals who work to protect young people, for comment on such stories.***

Their voices are rarely heard, in contrast to those voices expressing outrage or disgust about young people’s behaviour and morals. Agencies which support, and speak out for, adult survivors of sexual abuse are also very valuable contacts. Some of their service users may themselves have gone through similar experiences when they were younger.

- Know the law on underage sexual activity, particularly in relation to consent. The key legislation is outlined in the report.***

Under-13s cannot give meaningful consent to sexual intercourse under any circumstances and alleged consent is not a defence. Even those aged 13-15 are still below the age of consent, although certain factors may reduce the sentence in some circumstances.

- Know the law on identifying and interviewing under-16s and under-18s in the media, in cases of underage sexual activity.***

Be aware when interviewing pregnant pre-teens, and young people under 16 (or 18, subject to child protection interventions) that this is likely to be unlawful. For instance, Tressa M should have been protected from publicity and subject automatically to a child protection investigation, as should others in future. Be aware also of the law on the reporting of children involved in Scotland’s children’s hearing system.

• Where misinformation about a child has been published, please work with child protection agencies to find ways in which this can be corrected once confidentiality laws have come into play.

Where a child has already suffered hostile, inaccurate publicity, media, legal and social work professions need to recognise the harm, if this cannot be corrected after the findings of a subsequent legal case. They should work together to find ways of enabling the public to learn the facts, while still protecting the identity of the young person. That would follow the spirit, not just the letter, of protective legislation for children.

• Monitor your media's online comment sections to ensure that vulnerable young people are not subject to public abuse or 'trolling'. Where possible, refrain from making the commenting facility available on stories about young people and pregnancy / sexual activity.

Online public comments on media reports are often disparaging, inaccurate and vicious towards vulnerable children and young people, and frequently remain in place for a long time. These public comments are an instant response to reading a story. Therefore we ask senior management in press and broadcasting media to see online comment on stories as instant, and delete it automatically after two weeks: sooner if it involves children and young people under 16 (or in some cases, such as 'looked-after' young people, under 18).

• Please use your influence and position as journalists to expose and raise awareness of child sexual abuse and child sexual exploitation.

Many media outlets have run excellent features and campaigns exposing rape, sexual abuse, sexual exploitation and people-trafficking. Your role is crucially important and we would ask you to increase this vital coverage. We call on all support organisations for children, young people and adult survivors to assist this effort as much as they can.



Positive media coverage and campaigning journalism

Press and broadcasting journalists have often been active and courageous in exposing the rape, abuse, exploitation and trafficking of young people. They have a vital role and set an example to everyone in doing so. For instance journalists like Nick Davies, Bea Campbell, Maggie O'Kane and Tim Tate have a long record of work in such cases. Here are some specific examples - out of many we could have selected.

• **Catherine Deveney** investigated and reported extensively in 2013 and 2014 for Scottish newspapers, sexual and physical abuse by Catholic clergy, including at the former Fort Augustus Abbey school.^{48,49,50}

• **Anna Hall** persevered since 1996 in trying to have screened documentary investigations into sexual exploitation gangs in England, with several films commissioned since 2002, facing repeated postponements for legal reasons or after fears of raising racial tensions. The multi-award winning *The Hunt for Britain's Sex Gangs* (True Vision Films) was screened by Channel 4 in 2013. At its peak Operation Chalice, which it reported on, was considering 106 victims (the youngest aged 11) and more than 200 suspected perpetrators.⁵¹

- **Kris Hollington**, an award-winning investigative journalist wrote *Unthinkable: the shocking scandal of Britain's trafficked children*⁵². It cites evidence that up to 10,000 British girls may have been sexually exploited by gangs.
- **Christian Woolmar** wrote the extensively-researched *Forgotten Children: The Secret Abuse Scandal in Children's Homes*, exploring cases back to the 1960s and 1970s.⁵³
- **Yasmin Alibhai-Brown**, a columnist on the Independent, persevered in raising with the police a detailed, distressing letter to herself from a woman who alleged grooming, rapes and sexual assaults by the TV presenter Stuart Hall. She co-operated with Lancashire detectives to locate the writer. Without this letter police would have been unable to pursue the whole investigation, and, in 2013 and 2014 to gain a series of convictions against Hall.⁵⁴
- **Eileen Fairweather**, an award-winning freelance journalist, contributed greatly to exposing the Islington Children's Homes abuse scandal in 1992 and 1993, through her articles, mainly in the London Evening Standard. In 2012 she investigated past links between abusers in Islington and the island of Jersey.^{55,56}
- **Liz MacKean**, TV reporter and presenter at the BBC, was instrumental in her work on *Newsnight* in precipitating the exposure of Jimmy Savile as a serial child abuser. After going freelance she reported for the Cyril Smith case for Channel 4's *Dispatches* series in September 2013. This programme revealed that several police forces had gathered a large amount of evidence that former senior Liberal MP Cyril Smith was a serial abuser of young boys, and the Crown Prosecution Service determined there was a realistic prospect of conviction. However prosecution was prevented, and he allegedly continued to abuse further victims.^{57,58}

Support from the NUJ's own guidelines, codes and campaigns

Some of the NUJ's own codes and guidelines are especially relevant to the fair and accurate reporting of vulnerable young women, and indeed of other groups at risk of prejudice and discrimination. They include:

- 1) NUJ guidelines for journalists on violence against women (September 2013): (<https://www.nuj.org.uk/documents/nuj-guidelines-on-violence-against-women>)
- 2) The NUJ code of conduct : (www.nuj.org.uk/about/nuj-code).
- 3) NUJ repeats calls for conscience clause as journalists' ethics discussed in parliament, 24/2/15: <https://www.nuj.org.uk/news/nuj-repeats-calls-for-conscience-clause-as-journalists-ethics/>.

Another example of NUJ Scotland collaboration with support organisations on guidelines for reporting groups at risk of prejudice and discrimination:

Responsible Reporting on Mental Health, Mental Illness and Death by Suicide Launched by NUJ Scotland 6/11/14. These were prepared by the NUJ in Scotland input from Dr Sallyanne Duncan, senior lecturer in journalism (University of Strathclyde), and organisations including Choose Life, See Me and the Samaritans. (<https://www.nuj.org.uk/news/guidelines-on-reporting-on-mental-health-suicide>).

References

- ¹ Many of the issues discussed in this booklet were originally raised in brief in *The teen sex stories that just don't stack up*. Sarah Nelson, The Herald, 19/6/09
- ² *Revealed: The tragic truth about Britain's youngest mother, a rape and who the father of her child really is*. Jenny Johnston, Daily Mail, 5/6/10.
- ³ *Tressa M is youngest mum in rehab*. Gail Cameron, The Sun, 27/12/11.
- ⁴ Boy charged over child pregnancy. BBC News Channel, 12/5/06.
- ⁵ *Girl, 11, will be Britain's youngest mother*. Ian Drury, Daily Mail (online) 12/5/06. " (The paper actually invited comment: "How best can we tackle this problem? Tell us in reader comments below.")
- ⁶ *12-Year-Old Girl To Become UK's Youngest Mom*. John Ericson. Medical Daily (USA) 24/11/13.
- ⁷ *Youngest mum in cash fight*. Paul Thornton. The Sun, 30/9/11. This article also carries details of the five-page "Exclusive" carried by the Sun which first broke the story of the pregnancy on Friday May 12, 2006.
- ⁸ *The case of the 12-year-old mother*. Jojo Moyes. The Independent, 9/7/97.
- ⁹ *Woman who became Britain's youngest mother aged 12 is evicted after "throwing wild drug-fuelled parties."* Sophie Freeman, Mail Online 23/9/10.
- ¹⁰ *This girl is just 12 and she is pregnant by a boy of 15*. Kate Sherry and Richard Price Daily Mail, undated
- ¹¹ *Gymslip Mum...Revisited*. Rachel Bletchly. People.co.uk.News-UK & World News.15/6/08.
- ¹² *Alfie Patten – the exploited face of broken Britain*. Judith Woods. Telegraph, 16/02/09
- ¹³ *The controversy over teen father Alfie Patten: who's the father*. Posted by David Batty. Guardian. 16/02/09
- ¹⁴ *I was gang-raped by 5 Asians at the age of 12*: Jerry Lawton, Daily Star, 21.1.11.
- ¹⁵ *When Kathleen gave birth at 12, Britain was horrified. Now her daughter is 12 too... and you'll be surprised at the differences*. Helen Weathers, Daily Mail, 7/2/11.
- ¹⁶ *A mother of two - aged 15: Thought you couldn't be any more horrified by stories of schoolgirl mums? Then read this jaw-dropping interview*. By Natalie Clarke. Daily Mail, 3/5/13.
- ¹⁷ *Woman who became Britain's youngest mother aged 12 is evicted after "throwing wild drug-fuelled parties."* Sophie Freeman, Mail Online 23/9/10.
- ¹⁸ *Britain's youngest mother insists getting pregnant at 12 after a one night stand was 'the smartest thing I ever did'* Lucy Waterlow , Daily Mail, 10 July 2012
- ¹⁹ *"Britain's youngest mum is already on scrapheap at age of just 12"*. Carole Malone. Sunday Mirror, 19/4/14.
- ²⁰ *A 12-year-old mother is a case not for the midwife but for the police*. Allison Pearson, The Telegraph , 16/4/14.
- ²¹ *Sisters give birth at 12, 14, 16*. BBC News (online), 23/5/05
- ²² *Sisters pregnant at 12, 14 and 16. So what does their mother do? She blames the school*. Hugh Davies. The Telegraph, 23/5/05.

²³ Stevenson K. (2012). 'It Is What "Girls of Indifferent Character" Do . . .' *Complications concerning the Legal Age of Sexual Consent in the Light of R v C (2011). The Journal of Criminal Law: April 2012, Vol. 76, No. 2.* In which the author observes that the thinking expressed in the case seemed to focus on shifting responsibility onto the children (aged under 13 years) rather than the adult (footballers) who had engaged in sexual activity with them.

²⁴ *Boy, 16, who had sex with 11-year-old is spared jail thanks to girl's racy Bebo photos* (author unidentified) Mail Online, 7/8/09.

²⁵ *Only 40 months for rape of girl, 11.* Anthony France, The Sun, 29/2/12

²⁶ *Rapists of girl, 11, sentenced to 40 months in jail.* Jamie Lewis. IB Times, 23/2/12

²⁷ See also a report of an earlier case: *Paedophile escapes jail for abusing girl, 11, after judge says "she welcomed sex".* Andy Dolan. Mail Online, 9/5/08.;

²⁸ Barrister suspended from sex cases after court comments BBC News (online), 07/08/13

²⁹ Attorney General's Reference (No 53 of 2013) [2013] EWCA Crim 2544 (para.20).

³⁰ *"Police files reveal vast child protection scandal- Confidential papers show a decade of abuse in south Yorkshire."* Andrew Norfolk. The Times, 24.9.12.

³¹ *Rochdale police and council 'repeatedly warned' about sex abuse risk in town.* Rachel Williams. The Guardian, 27 /9/12

³² *Victims blamed for child sex abuse as Oxford council chief faces calls to quit over exploitation ring.* Kevin Rawlinson, Nigel Morris and John Hall. The Independent, 15/5/13.

³³ Tyler K. (2002). "Social and emotional outcomes of childhood sexual abuse: A review of recent research" *Aggression and Violent Behavior* 7, 567–589.

³⁴ Noll J. Shenk C. Putnam J. (2009). "Childhood Sexual Abuse and Adolescent Pregnancy: A Meta-analytic Update." *J Pediatr Psychol.* 34(4): 366–378.

³⁵ Logan, C. Holcombe, E. Ryan, S. Manlove, J. Moore, K. (2007) *Childhood sexual abuse and teen pregnancy: A white paper.* Project of the National Campaign to prevent teen and unplanned pregnancy. Child Trends, Inc.

³⁶ Stoltz A. Shannon K. Kerr T. Zhang R. Montaner J. Wood E. (2007). "Associations between childhood maltreatment and sex work in a cohort of drug-using youth". *Social Science & Medicine* 65 (2007) 1214–1221

³⁷ Logan, C. Holcombe, E. Ryan, S. Manlove, J. Moore, K. (2007) *Childhood sexual abuse and teen pregnancy: A white paper.* Project of the National Campaign to prevent teen and unplanned pregnancy. Child Trends, Inc.

³⁸ Nelson S. (2009) *Care and support needs of men who survived childhood sexual abuse* CRFR, University of Edinburgh.

³⁹ *Drug treatment needs to focus more on underlying trauma and life difficulties, says Scottish Drugs Forum Research.* SDF, a national resource of expertise on drug issues. 27 November 2013. www.sdf.org.uk/news-and-media/sdf-news-archive-2013/

⁴⁰ Macpherson, Suzi (2013). *SPICE Briefing 13/03. Teenage Pregnancy.* 22nd January, 2013. Available at: http://www.scottish.parliament.uk/ResearchBriefingsAndFactsheets/S4/SB_13-03.pdf

- ⁴¹ Scottish Parliament (2013) Health and Sport Committee 5th Report, 2013 (Session 4). Report on Inquiry into teenage pregnancy. SP Paper 355 HC/S4/13/R. Available at http://www.scottish.parliament.uk/S4_HealthandSportCommittee/Reports/heR-13-05w.pdf
- ⁴² Information Services Division: Abortion Statistics <https://isdscotland.scot.nhs.uk/Health-Topics/Sexual-Health/Publications/2014-05-27/2014-05-27-Abortions2013-Report.pdf?12981814147>
- ⁴³ Right Honourable Lord Justice Leveson (2012). An inquiry into the culture, practices and ethics of the press. Report Vol 4. Chapter 9, para 2.16.
- ⁴⁴ HM Government (2009) Safeguarding Children and Young People from Sexual Exploitation. Department of Children, Schools and families. Available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/278849/Safeguarding_Children_and_Young_People_from_Sexual_Exploitation.pdf
- ⁴⁵ Scottish Government (2010) National Guidance. Underage sexual activity: Meeting the Needs of Children and Young People and Identifying Child Protection Concerns" [para 47]. Available at: <http://www.scotland.gov.uk/Resource/Doc/333495/0108880.pdf>
- ⁴⁶ O’Riordan v Director of Public Prosecutions [2005] EWHC 1240 (Admin)
- ⁴⁷ Editors’ Code of Practice. Available at: <http://www.societyofeditors.co.uk/userfiles/files/IPSO-Code-hard-copy-August-2014.pdf>
- ⁴⁸ *Police investigate allegations of sex abuse at Catholic boarding school.* Catherine Deveney The Guardian, 25/5/13.
- ⁴⁹ *Church scandal journalist wants an end to secrets and lies: Catherine Deveney’s life has been turned upside down during the past few months* Ali Kirker, Sunday Post, 4/8/13.
- ⁵⁰ *New sex abuse crisis in Scottish Catholic church:* Catherine Deveney, The Observer, 28/7/13
- ⁵¹ Anna Hall (2013) *The hunt for Britain’s Sex Gangs.* <http://truevisiontv.com/films/details/185/the-hunt-for-britains-sex-gangs>
- ⁵² Hollington, K. (2013) *Unthinkable: The Shocking Scandal of Britain’s Trafficked Children.* Simon & Schuster.
- ⁵³ Woolmar C. (2000) *Forgotten Children: The Secret Abuse Scandal in Children’s Homes.* Vision Paperback.
- ⁵⁴ *How I exposed Stuart Hall’s sex abuse: Yasmin Akibhai-Brown the letter that kick-started the investigation.* Yasmin Akibhai-Brown. The Independent, 3/5/13
- ⁵⁵ *I have known about Jersey paedophiles for 15 years,’ says award-winning journalist: the award-winning journalist who exposed terrible abuse in Islington children’s homes now reveals horrifying links to sinister discoveries at Jersey’s Haut de la Garenne.* Eileen Fairweather, Daily Mail, 2/3/08.
- ⁵⁶ *Inquiries fail abused children: these investigations only help politicians. We need a national police operation.* Eileen Fairweather. The Guardian, 6/11/12.
- ⁵⁷ *The Paedophile MP: How Cyril Smith Got Away with It.* Reporter, Liz MacKean. Channel 4 Dispatches. Shown 12/9/13.
- ⁵⁸ *MI5 and Special Branch ‘covered up Cyril Smith’s abuse of boys’: Police dossier handed to prosecutors in 1970 ‘went missing for four decades’* Alasdair Glennie. Daily Mail, 12/9/13

Other useful reading

UN Convention on the Rights of the Child: Refers to all young people under 18: these include: Article 12, respect for the views of the child; Article 16, right to privacy - the law should protect them from attacks against their good name; Article 19, protection from all forms of violence; Article 34, protection from all forms of exploitation and abuse; article 35 (protection from abduction, sale and trafficking). (http://www.unicef.org/crc/files/Rights_overview.pdf)

Reporting Guidelines: Children and Young People. UNICEF Press Centre (http://www.unicef.org/media/media_tools_guidelines.html)

Information about violence against women – World Health Organisation, (http://who.int/topics/gender_based_violence/en)

Handle With Care: A guide to responsible media reporting of violence against women. Zero Tolerance - available from www.zerotolerance.org.uk

NWG network website has a wealth of information, news and training materials relating to child sexual exploitation across the UK. www.nwgnetwork.org

WithScotland: Information, training, research and co-ordination resource on child protection issues and news updates. www.withscotland.org

Ellie Conway (2010) *Poor Cows or Dangerous Beasts?* The representation of 'underclass' women in broadsheet newspapers: media portrayals, political identity and policy. (<http://www.social-policy.org.uk/lincoln/Conway.pdf>)

Kyla Ellis-Sloan (2014) *Teenage Mothers, Stigma and Their 'Presentations of Self'* Sociological Research Online, (2014) 19 (1) 9. (<http://www.socresonline.org.uk/19/1/9.html>)

Jan Macvarish, (2010) *Battle in Print: How teenage pregnancy became redefined as a social problem.* (<http://www.battleofideas.org.uk/2010/battles/5380>)

Dr Linda Papadopoulos (2010) *Sexualisation of Young People*, (<http://www.rapecrisisscotland.org.uk/workspace/publications/>)

Some useful contacts for journalists

While we give contacts below for certain major organisations across Britain, this list primarily reflects our Scottish readership. Nor can it be comprehensive in a booklet. We hope journalists in other parts of Britain, and in Northern Ireland, will be encouraged to expand their own national and local contact lists of contact organisations which support young people vulnerable to exploitation and abuse.

(NB Correct at time of publication: please check for updates)

Action for Children: www.actionforchildren.org.uk. Email: mediateam@actionforchildren.org.uk.
Twitter: @actnforchildren. Press tel: 020 3124 0661 (24 hours); Scotland: 0141 550 9040; 07841 939 965.

Barnardo's: www.barnardos.org.uk. Twitter: @barnardos. Press Office 24 hrs 020 8498 7555. Scotland: 0131 446 7000. Wales: 02920 493 387

Children 1st: www.children1st.org.uk. Email: communications@children1st.org.uk. Twitter: @children1st
Tel: 0131 446 2300/ 07943 066 652

Children in Scotland: www.childreninscotland.org.uk. Twitter: @cisweb Tel: 0131 222 2419; 0131 313 8823.

Children's Commissioners: Scotland: www.sccyp.org.uk. Twitter: @RightSCCYP Tel: 0131 558 3733
England: www.childrenscommissioner.gov.uk. Twitter: @ChildrensCo Tel: 020 7783 8330.
Out of hours 07659 593 511. Wales: www.childcomwales.org.uk. Twitter: @childcomwales Tel: 01792 765 638 or 07794 123 132. Out of hours: 07794 123132.

Children's Reporter Administration (Scotland): www.scra.gov.uk/home/index.cfm. communications@scra.gsi.gov.uk. Tel: 0300 200 1560 or 1555.

18 and Under: (confidential service for young people) <http://www.18u.org.uk>. Tel: 01382 206222.

End Violence Against Women Coalition: (coalition of organisations and individuals campaigning to end violence against women throughout the UK) www.endviolenceagainstwomen.org.uk.
Email: admin@evaw.org.uk Tel: 07984 717 817

NAPAC: (National Assn for People Abused in Childhood) (UK) <http://napac.org.uk>. info@napac.org.uk.
Twitter: @NAPAC Tel: 0203 176 0560.

NSPCC: www.nspcc.org.uk. Twitter: @NSPCC
Scotland: Email: scotlandcomms@nspcc.org.uk. Tel: 0141 420 6546. Out of hours 07760 272 021 or 07584 159 633. England: Email: mediaoffice@nspcc.org.uk. Tel: 020 7825 2514. Out of hours 07976 206 625.
Wales: Email: walesandsouthwestcomms@nspcc.org.uk. Tel: 0203 188 3655. Out of hours: 07825 552357.

NUJ ethics hotline: 0845 450 0864; Email for NUJ ethics council ethics@nuj.org.uk. (NUJ members only).

Rape Crisis: (Scotland): www.rapecrisisscotland.org.uk. Email: info@rapecrisisscotland.org.uk.
Twitter: @rapecrisisscot. Tel: 0141 331 4180.

Rape Crisis (E&W): www.rapecrisis.org.uk. Email: media@rapecrisis.org.uk. Twitter: @RapeCrisisEandW

Roshni- No More Secrets: (preventing sexual abuse in and for BME communities, Scotland)
www.roshni.org.uk. Twitter: @roshniscotland. Tel: 0141 218 4010.

Scottish Child Law Centre: www.sclc.org.uk. Email: enquiries@sclc.org.uk. Tel: 0131 668 4400.

Scottish Refugee Council: www.scottishrefugeecouncil.org.uk. Email: media@scottishrefugeecouncil.org.uk.
Twitter: @scotrefcouncil. Tel: 0141 248 9799/ 0141 223 7927.

Scottish Women's Aid: <http://www.scottishwomensaid.org.uk>. Email: info@scottishwomensaid.org.uk
Twitter: @scotwomensaid Tel: 0131 226 6606.

Shakti Women's Aid (BME women & young people experiencing domestic abuse, Scotland)
www.shaktiedinburgh.co.uk. Twitter: @shaktiedinburgh. Tel: 0131 475 2399.

The Survivors' Trust :(incorporates numerous sexual abuse survivors' groups from the whole UK)
www.thesurvivorstrust.org Email: info@thesurvivorstrust.org Twitter: @survivorstrust. Tel: 01788 550554

Welsh Women's Aid: www.welshwomensaid.org.uk Twitter: @WelshWomensAid. Tel: 01920 541551

Women's Aid (England): <http://www.womensaid.org.uk> Twitter: @womensaid Tel: 0117 944 44 11

Who Cares Scotland: (for young people in care) www.whocaresscotland.org.
Email: media@whocaresscotland.org Twitter: @WhoCaresScot. Tel: 0141 226 4441

Zero Tolerance: www.zerotolerance.org.uk. Twitter: @ZTScotland. Tel: 0131 556 7365

Authors / contributors

Sarah Nelson - (University of Edinburgh)

Sarah has published widely on sexual abuse issues for several decades as an academic researcher, writer and campaigner. Her collaborative publications with organisations on behalf of sexual abuse survivors include *Surviving Well*, good practice for health professionals (<http://www.opensecret.org/index.php/news-and-events/>); *See Us Hear Us*, the voices of young survivors (<http://www.violenceispreventable.org.uk/>); and *Yes You Can*, for professionals working with adult survivors (<http://www.gov.scot/Publications/2008/04/07143029>) (with Sue Hampson). She was Adviser to the Scottish Parliament's Inquiry into child sexual exploitation in 2013, and is a former professional journalist.

Dr Kirsteen Mackay - (Research Fellow, NSPCC/University of Edinburgh Child Protection Research Centre)

Kirsteen is an academic lawyer with a particular interest in the exercise of legal rights by children and vulnerable adults. At various times over the last decade, she has delivered teaching in family law within the University of Edinburgh, Edinburgh Napier University and the University of Glasgow. She is author of *The Child's Voice in Contact Disputes: Genuine Participation in Private Law Court Actions* (Saarbrücken, Germany, Lambert Academic Publishing, 2012), and recently wrote a report for Scotland's Commissioner for Children and Young People, on the treatment of the views of children in child contact disputes where there is a history of domestic abuse, which was presented to the Scottish Parliament.

The University of Edinburgh/NSPCC Child Protection Research Centre

The Child Protection Research Centre works to help improve the recognition, response and prevention of child maltreatment through independent research, academic leadership and education. Positioned within the University of Edinburgh and in partnership with the NSPCC, our multi-disciplinary team is able to bring a broad, international frame of reference to help address entrenched and emerging issues in child protection. Our work is designed to strengthen advocacy, policy and practice in the UK and beyond so that children and young people are safe and survivors of abuse have access to the best care.

The National Union of Journalists in Scotland

The NUJ in Scotland has a long record of supporting and promoting quality journalism. We believe it is imperative to constantly monitor standards, encourage accuracy and develop understanding of important issues through ongoing education and discussion.

In the last 20 years we have co-operated with a wide range of organisations in drafting guidelines and published information to help journalists do their work through access to relevant information.

This latest partnership approach is a welcome contribution to the issues surrounding underage pregnancy and we hope it is a helpful addition to our promotion of good practice in responsible reporting.

Paul Holleran
National Organiser
NUJ Scotland

You can download ***Guidance on reporting underage pregnancy and underage sex cases*** from www.childprotection.ed.ac.uk or the NUJ Scotland website.

This report covers a wide range of topics that will support you as a journalist to report effectively on teenage and pre-teen pregnancy, including prejudice and discrimination, the effects of sexual abuse, media pressures, current legislation, and also provides useful reading and contacts for organisations best placed to comment on issues relating to pre-teen pregnancy and underage sexual activity.



www.childprotection.ed.ac.uk



[/ChildProtectionResearchCentre](https://www.facebook.com/ChildProtectionResearchCentre)



[@ChildProtectRes](https://twitter.com/ChildProtectRes)

THE UNIVERSITY OF EDINBURGH / NSPCC
**child protection
research centre**



NSPCC

